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INFO RUEHCV/AMEMBASSY CARACAS PRIORITY 1337
RUEHLP/AMEMBASSY LA PAZ NOV 9781
RUEHPE/AMEMBASSY LIMA PRIORITY 6752
RUEHZP/AMEMBASSY PANAMA PRIORITY 2684
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RHEHNSC/NSC WASHDC PRIORITY

C O N F I D E N T I A L BOGOTA 004165

SIPDIS

E.O. 12958: DECL: 11/16/2017
TAGS: [PHUM](#) [PGOV](#) [MOPS](#) [KJUS](#) [CO](#)
SUBJECT: GOC LAUNCHES FIRST PUBLIC FORUM ON HUMAN RIGHTS
COMPLAINTS AGAINST SECURITY FORCES

REF: BOGOTA 4066

Classified By: Political Counselor John S. Creamer
Reason: 1.4 (b and d)

Summary

¶1. (C) On November 17, President Alvaro Uribe presided over the first, public forum on human rights abuses against the security forces. Military and police commanders were instructed to report human rights complaints as well as the status of each case. Uribe also ordered them to forward all complaints to the National Inspector General's Office (Procuraduria) and the Prosecutor General's office (Fiscalia). Defense Minister Juan Manuel Santos also announced a 15-point plan in conjunction with the forums, including the creation of an immediate reaction force in the Army Inspector General's Office to investigate human rights abuses, revision of promotion criteria, review of intelligence procedures, and establishment of a human rights certification process for promotion to senior ranks. Vice Defense Minister Sergio Jaramillo told us recent command assignments are also designed to reinforce the renewed stress on human rights. End Summary.

First Nationwide Public Human Rights Forum

¶2. (U) On November 17, President Uribe presided over the first, public human rights forum at Narino Palace with Defense Minister Juan Manuel Santos, Foreign Minister Jaime Bermudez, Interior and Justice Minister Fabio Valencia, Inspector General (Procurador) Edgardo Maya, Human Rights Ombudsman Volmar Perez, Prosecutor General (Fiscalia) Mario Iguaran, and division commanders of the Army, Air Force, and Police. Commanders reported on human rights complaints received and the status of each case. Uribe told each commander to verify whether the complaint is being investigated by the Procuraduria or the Fiscalia; if not, the commander must forward the case to these authorities. The investigators will report monthly to the Armed Forces Inspector General (IG) and the Police IG. Uribe ordered the military to designate an official in every division, brigade, battalion, and police command to receive public complaints of

possible human rights abuses after his October 29 dismissal of 27 soldiers for their alleged roles in extrajudicial killings.

Worst Offender: 2nd Division

13. (U) Uribe emphasized the forum's purpose as an open, transparent process to regain public confidence, but warned that it should not be used to discredit or demoralize the Armed Forces personnel. The four-hour program was transmitted via national radio and television. Of 148 complaints reported at the forum, 81 were lodged against seven Army divisions and 67 against the Police. All cases are reportedly under criminal or disciplinary investigation. During the forum, five individuals telephoned Narino Palace to report family members who appeared as killed in combat, but who were reportedly never involved in fighting. Uribe ordered protection for Evelio Patino Mendoza, a caller from Ibague, who claimed her brother was killed by illegal armed groups. Presidential Communications Director Jorge Mario Eastman told us the event served to underscore to the officer corps that they will be held accountable for their human rights performance.

MOD's 15-Point Plan

14. (SBU) Santos announced at the forum a new, 15-point plan to improve the Armed Forces' human rights performance. Based

on the findings of the Soacha commission and the work of the Committee set up last July to examine extrajudicial killings, the plan includes a new human rights certification requirement (based on a polygraph test) for officers promoted to senior ranks, as well as changes in doctrine, human rights training, internal controls, officer evaluations, and the roles of the Army and Police in fighting criminal groups. Vice Defense Minister Sergio Jaramillo told us breakdowns in intelligence, command and control, and munitions/arms storage led to the Soacha murders. Hence, Santos' order that all Division Commanders review their intelligence, operational, and logistical procedures and correct any flaws within the next three months. Santos also instructed Army Intelligence to review its procedures and to ensure that intelligence personnel participate in collecting operational intelligence down to the tactical level.

15. (SBU) Presidential Human Rights Director Carlos Franco said Santos' plan also focuses on improving the Armed Forces' weak internal controls. Steps to address this problem include: creation of a quick reaction unit in the Army IG office-- modeled on the Soacha Commission--to investigate grave abuses and make administrative recommendations; placement of the inspector delegates under the Armed Forces' IG with a mandate to focus only on human rights; improvement in the status and independence of operational legal advisors assigned to military units; development of operations-specific rules of engagement (ROEs); and establishment of a system to receive human rights complaints at the tactical level. Santos also calls for further military action to facilitate Fiscalia oversight of military operations.

16. (SBU) Jaramillo said military involvement in combating criminal groups--which requires law enforcement rather than military ROEs--also helped lead to abuses. As a result, Santos ordered the military not to engage criminal groups unless the High Command declared them to be military objectives and authorized the use of military force. Santos said the Police would take the lead in the fight against criminal groups in the future. Santos also instructed the Defense Ministry to perfect the evaluation system for military units to ensure that these recognize the different types of threats faced in different regions. Lastly, Jaramillo noted that the Armed Forces will review all of its

human rights training programs and make required changes, set up an ongoing evaluation system for training program, and hold workshops on command responsibility in all divisions.

Steps Ahead: Checks and Balances

17. (C) Jaramillo told us Santos is also using personnel assignments to reinforce the emphasis on human rights. He has already named Major General Suarez, who headed the Soacha Commission, as Army IG, and plans to appoint respected Major General Gilberto Rocha as Joint Forces IG. Santos also chose the new commanders of the Joint Caribbean Command, as well as the 2nd and 7th divisions, with an eye to their commitment to human rights. Jaramillo said these appointments would help isolate new Army Commander Major General Oscar Gonzalez, who is linked to the hard-line approach of his predecessor General Mario Montoya. Franco blamed the lack of success of previous efforts to deter extrajudicial killings--including efforts to develop better ROEs and alternative evaluation criteria--to resistance from officers who believe respect for human rights is an obstacle to military efficiency. He said with Uribe's dismissal of the 27 military involved in the Soacha cases, as well as Montoya's departure, opposition to the new measures will be muted.

18. (C) Former Vice Defense Minister and Department of Administrative Security (DAS) Director Andres Penate told us Santos' changes are positive. Past efforts to improve the military's human rights record floundered due to the lack of internal discipline and clear lines of authority. Army Commanders have a long history of ignoring Defense Ministers and Armed Forces Commanders, especially since the latter lack

the staff and expertise to monitor their actions. The independence of the Army Commander is also reflected in the Army IG who is more powerful than the Armed Forces IG. Penate said Santos' new measures need to be complemented by further actions to strengthen the MOD and Armed Forces Commander, improve the selection process for incoming officers and professional soldiers, and develop an effective counter-intelligence capacity within the Army.

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